APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,674	12/29/2000	Paolo Faraboschi	00-BN-059 (STMI01-00059)	9124

30425 7590 12/23/2005		EXAMINER	
STMICROELECTRONICS, INC.		LI, AIMEE J	
MAIL STATION 2346			
1310 ELECTRONICS DRIVE		ART UNIT	PAPER NUMBER
CARROLLTON, TX 75006		2183	

DATE MAILED: 12/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<table>
<tr><td rowspan="2" align="center">Advisory Action
Before the Filing of an Appeal Brief</td><td>Application No.
09/751,674</td><td>Applicant(s)
FARABOSCHI ET AL.</td><td></td></tr>
<tr><td>Examiner
Aimee J. Li</td><td>Art Unit
2183</td><td></td></tr>
</table>

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>07 December 2005</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☐ The period for reply expires _____months from the mailing date of the final rejection.

   b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

   (a)☐ They raise new issues that would require further consideration and/or search (see NOTE below);

   (b)☐ They raise the issue of new matter (see NOTE below);

   (c)☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d)☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: _____.

   Claim(s) objected to: _____.

   Claim(s) rejected: _____.

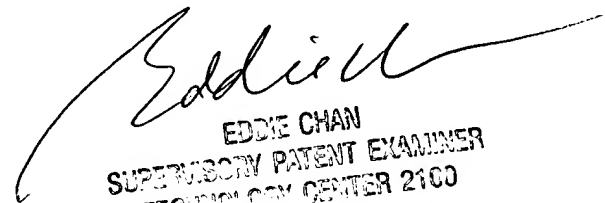   Claim(s) withdrawn from consideration: _____.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See Continuation Sheet.</u>

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.

13. ☐ Other: _____.

Continuation of 11. does NOT place the application in condition for allowance because: Applicant argues in essence on pages 10-14 "...the final Office Action at no point identifies what element of Miller might be considered to be the claimed 'instruction issue unit', and certainly Miller does not identify any element as an instruction issue unit." This has not been found persuasive. Miller describes in column 9, line 57 to column 10, line 6 and column 10, lines 24 to 35 how element 178 functions, which is similar to the claim language. The claim language states "capable of receiving fetched ones of said plurality of cache lines" which Figure 6 shows with selector 220 selecting an output from element 172, which is comprised of multiple RAM elements 208 and 210 and ROM elements 212, 214, 216, and 218. The fetched packet is stored in the "Fetched compressed packet" element in Figure 6. The claim language then states "issuing complete instruction bundles toward said execution clusters". Miller describes in column 9, line 57 to column 10, line 6 and column 10, lines 24 to column 10, lines 24-35 that, once the end of packet is identified, inserting "default instructions" to complete a packet and then routing the instruction to processing units by "controlling a plurality of multiplexers 224, 226, 228, 230, and 232 (column 10, lines 27-28)." This means that routing select logic 222 controls the multiplexers 224, 226, 228, 230, and 232 to issue the instructions in the packet to the correct specific execution units. The claim language then states "wherein at least one complete instruction bundle is issued having an out-of-order alignment". Miller has taught that "default instructions" are inserted into locations for processing units that do not have actual instructions from the compressed packet during decompression of the packet. This means that the uncompressed packet is not in the same order that the compressed packet was received in, since the "default instructions" are now inserted between the instructions received in the compressed packet. Also, the Examiner would like to point out that Applicant seems to be looking for the exact language used in the claim, and, while the reference provided does not use the exact same language in the claim, the function of the reference is similar to that of the claim language. So, the Examiner provided the columns, lines, and figures cited to show Applicant how the functionality is the same. The Examiner would also like to point out that the Examiner did make an attempt to "identify specific features of Miller that would possibly correspond to the features of the claims" by citing 2 out of 9 figures and portions of 4 out of 18 columns in the reference.

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